The Honorable Benjamin Settle 1 Trial Date: April 16, 2013 2 3 4 5 6 7 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON 8 AT TACOMA 9 CLYDE RAY SPENCER, MATTHEW RAY SPENCER, and KATHRYN E. TETZ, No. C11-5424BHS 10 11 Plaintiffs. SECOND DECLARATION OF SHIRLEY **SPENCER** 12 VS. 13 FORMER DEPUTY PROSECUTING ATTORNEY FOR CLARK COUNTY JAMES M. PETERS, DETECTIVE SHARON KRAUSE, SERGEANT MICHAEL 15 DAVIDSON, CLARK COUNTY 16 PROSECUTOR'S OFFICE, CLARK COUNTY SHERIFF'S OFFICE, THE 17 COUNTY OF CLARK, SHIRLEY SPENCER and JOHN DOES ONE THROUGH TEN, 18 Defendants. 19 I, Shirley Spencer, declare under penalty of perjury under the laws of the State of 20 Washington that the following is true and correct. 21 1. I am sixty-nine years old and I am competent to make the following 22 declaration based upon my personal knowledge. 23 SECOND DECLARATION OF SHIRLEY Wilson Smith Cochran Dickerson

SECOND DECLARATION OF SHIRLEY SPENCER- I gw/GW1218.466/916147

WILSON SMITH COCHRAN DICKERSON

A PROFESSIONAL SERVICE CORPORATION

901 FIFTH AVENUE, SUITE 1700

SEATTLE, WASHINGTON 98164-2050

TELEPHONE: (206) 623-4100 FAX: (206) 623-9273

2. I have made three, recorded sworn statements regarding matters related to this 1 2 litigation, including one deposition taken on August 30, 1996, in Tacoma, Washington. I 3 never testified that my relationship with Defendant Davidson began at any point before Clyde Ray Spencer made his Alford plea. My relationship with Michael Davidson did not begin until 5 after Clyde Ray Spencer entered his Alford plea. 6 I declare under penalty of perjury under the laws of the State of Washington that the 7 foregoing is true and correct. 8 Signed at Lanceller, Washington, this 1/e day of May, 2012. 9 Shirley SPENCER SHIRLEY SPENCER 10 11 12 13 14 15 16 17 18 19 20 21 22 23

SECOND DECLARATION OF SHIRLEY SPENCER-2 gw/GW1218.466/916147

Wilson Smith Cochran Dickerson 901 FIFTH AVENUE, SUTTE 1700

SEATTLE, WASHINGTON 98164-2050 TELEPHONE: (206) 623-4100 FAX: (206) 623-9273

CERTIFICATE OF SERVICE 2 The undersigned certifies that under penalty of perjury under the laws of the State of Washington that on the below date I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: 4 **Attorney for Plaintiffs** Daniel T. Davies Davis Wright Tremaine LLP 1201 Third Avenue, Suite 2200 Seattle, WA 98101-3045 Email: dandavies@dwt.com 8 9 **Attorney for Defendants Clark County**

Attorney for Plaintiffs

Douglas H. Johnson Kathleen T. Zellner Law Offices of Kathleen T. Zellner, P.C. Esplanade IV 1901 Butterfield Road, Suite 650 Downers Grove, Illinois 60515 Email: dhjohnson43@aol.com Email: kathleen.zellner@gmail.com

Prosecutor's Office, Clark County

Sheriff's Office and Clark County

Bernard F. Veljacic

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Deputy Prosecuting Attorney

Clark County Prosecuting Attorney Civil Division

604 W. Evergreen Blvd.

P.O. Box 5000

Vancouver, WA 98666-5000

Email: Bernard.Veljacic.@clark.wa.gov

Attorney for Defendant Peters

Daniel J. Judge Attorney General's Office 7141 Cleanwater Drive SW P.O. Box 40126 Olympia, WA 98504-0126 Email: danielj@atg.wa.gov

Attorney for Defendant Davidson

Jeffrey Freimund Freimund Jackson & Tardif & Benedict Garratt, PLLC 711 Capitol Way S Ste 602 Olympia, WA 98501-1293

Email: jefff@fjtlaw.com

Attorney for Defendant Krause

Guy M. Bogdanovich Law Lyman Daniel Kamerrer & Bogdanovich PO Box 11880 Olympia, WA 98508-1880 Email: gbogdanovich@lldkb.com

SECOND DECLARATION OF SHIRLEY SPENCER-3 gw/GW1218.466/916147

Wilson Smith Cochran Dickerson PROFESSIONAL SERVICE CORPORATION 901 FIFTH AVENUE, SUITE 1700 SEATTLE, WASHINGTON 98164-2050 TELEPHONE: (206) 623-4100 FAX: (206) 623-9273

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1	Attorney for Defendant Shirley Spencer	Attorney for Defendant Peters
	William H. Dunn	Patricia C. Fetterly
2	Dunn Law Office	Assistant Attorney General
3	P.O. Box 1016	Torts Division
	Vancouver, WA 98666	P.O. Box 40126
4	Email: dunnwh@pacifier.com	Olympia, WA 98504-0116
		Email: patriciaf1@atg.wa.gov
5		
	and I hereby certify that I have mailed by United States Postal Service the document to the	
6	following non CM/ECF participants:	
7		
	Attorney for Defendant Peters	
8	Robert M. McKenna	
	Attorney General of Washington	
9	Government Operations Division 7141 Cleanwater Drive SW	
10	PO Box 40108	
10	Olympia, WA 98504-0108	
11	Olympia, WA 98304-0108	
	yn.	
12	SIGNED this 18 day of May, 2012, at Seattle, Washington.	
13	Betty Dobbins	
14	Betty Dobbins	
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